

The Mayor and Council of Hurlock

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JOYCE A. SPRATT
MAYOR
JOHN H. AVERY
CLERK / TREASURER

COUNCIL MEMBERS
CHRISTOPHER J. ADAMS
CHARLES T. CEPHAS, SR.
PARKER J. DURHAM
GARY L. HENRY
MICHAEL D. NORDSTROM

MINUTES OPEN SESSION MEETING September 9, 2013 6:00 P.M.

Mayor Spratt called the meeting to order at 6:00 p.m. in the Hurlock Town Office located at 311 Charles Street. Following the Pledge of Allegiance, Reverend Paul Bovankovich said the opening prayer. The roll call was then taken. Those in attendance were: Councilmembers Durham, Cephas, Adams, Henry, Mayor Spratt, Attorney Robert Merriken, and Clerk Avery. Councilman Nordstrom was absent.

The Agenda was approved with a Motion made by Councilman Durham, seconded by Councilman Adams and with no discussion, passed with a vote of 4-0.

The Minutes of the Open Session Meeting on August 26, 2013 were unavailable.

Mayor's Report – Mayor Spratt asked the public to please not cut their grass so that it ends up on the street, and if you see your neighbor or someone else doing that please let them know the damage it does. It gets in the stormwater drains and the street sweeper has to make multiple trips to clean the streets of the grass.

The Mayor pointed out there are flyers on the table advertising Family Fun Day to be held on September 21st. There will be a lot of fun things to do for children.

The Council should have, by now, gotten their invitation, to the Employee Appreciation Dinner. The dinner will be on September 26, 2013 at 6:00 p.m. at the Hurlock American Legion.

Mayor Spratt reported that work on the Fall Festival is moving along smoothly. A lot of work is being put into it and that will be reflected on October 5th. Clerk Avery spoke of the Train Rides. He said the train bridge has been looked at and a company from New Jersey will be here, probably Wednesday, to certify the brakes. Maryland – Delaware

Railroad came to the Town to make sure the brakes function as they should, just waiting for the brake certification. Tickets for train rides will probably go on sale next week as soon as the brakes have been certified. Rick Price gave a donation to the Town for the Fall Festival. The County Councilman was not in attendance, but he gave the Mayor a report.

Mayor Spratt stated that in regards to the Hurlock Medical Center, a lease is ready to be signed. Nanticoke Services has hired a provider. The hope is we will see the Medical Center reopened very soon.

County Councilman Rick Price Report - Councilman Price could not be at the meeting, he did however leave a report with Mayor Spratt to convey to the Town. The Mayor read from the report that last weeks County Council meeting included a report on Chesapeake College's 2014-2018 Strategic Plan. This includes using new ideas and technologies in the student learning experience, strengthening the regional economy through training a more skilled work force, and recruiting and retaining businesses, improving student goal attainment of degree certificates and work place credentials, grow enrollment to 3,000 students per semester by FY '18, and advance environmental sustainability. He further stated dual enrollment in Dorchester County has dropped due to funds from Race to the Top Program that were being used to attend 2 classes at UMES. This includes enrollment by 10-15 students from North Dorchester High School. There was also approval of a tire amnesty day on October 5th. The limit allowed will be 10 residential tires and 3 farm vehicle tires. This will be conducted at the county landfill at Beulah. A recommendation from Parks and Recreation was made to purchase signage through grant monies encouraging no smoking at public recreation facilities. The County approved having a draft prepared for a public hearing before proceeding forward. The next County Council meeting will be held September 17, 2013 at 6:00 p.m. Councilman Price also telephoned Mayor Spratt regarding Councilman Cephas' question of the excise tax. This tax was voted down.

Jack Lewis questioned the Mayor as to what Hurlock gets from paying County taxes. Mayor Spratt said that Councilman Price indicated to her that 90% of the taxes goes to education, 5% goes to EMS. There was not a good phone connection so she missed the last 5%. Councilman Cephas commented that the taxes are unfair to young people in that it makes owning a home unaffordable. There was discussion by Councilman Durham regarding the different taxes.

Department Reports – Chief of Police Les Hutton reported that during the month of August, there were 202 police calls and 27 calls to 911. On September 5th, police training was held at the American Legion for 25 officers at no cost to the Town. The training included information on fraudulent documents and IDs. There were handouts and equipment to help identify these documents. Chief Hutton reported the Lien Releases from Ford Credit have been received and the police cars are now paid in full.

There was no one in attendance from the Hurlock Fire Department.

Old Business - Mayor Spratt asked Attorney Merriken to speak regarding the Ballot questions. Mr. Merriken received e-mails from Councilmembers asking about proposed questions on the ballot in the November election. Mr. Merriken sent an article via e-mail to the Councilmembers referencing Ocean City when they decided not to do something similar. Ultimately the decision to place the questions on the ballot is up to the Council, however, almost any question will contain some bias. There needs to be specific wording so that the Resolution can be done for the next meeting, to get it to the Board of Elections in time to get on the ballot. There were two specific questions, one regarding council salaries and one pertaining to the police department. Councilman Adams stated he sent an e-mail to Mr. Merriken concerning a possible third question in reference to the Mayor's salary. Mr. Merriken did not receive said e-mail, but would check into it. Councilman Cephas agreed with Councilman Adams and also with the other questions. Councilman Durham replied to Mr. Merriken that he felt strongly the Council would not come to a consensus in the wording of the questions. He gave an example of the police station; should the Town of Hurlock obtain a loan for 1.4 million dollars to build the station, which presents a bias, or should the Town build a police station to become compliant with current regulations, which builds a different bias. Councilman Durham felt it was doubtful that the Council would come to a consensus on how the question should be worded in order to get a valid response. Councilman Cephas expressed his feeling that the issue is not whether the police department should be built; it is an economics issue. Mr. Merriken asked for a vote. Councilman Durham felt the Town does need a new police station. Councilman Adams feels the Town needs to know what the police department is going to cost the taxpayers. There was discussion between Councilman Durham, Councilman Adams and Councilman Cephas regarding the cost of the station. Mayor Spratt said that false rumors have spread saying the USDA has advised that taxes will be needed to be raised to fund the police station. Councilman Durham stated, in regards to the Wastewater Treatment Plant, as the Town needs to build in order to keep up with the regulations, so does the police station need to be built in order to stay in compliance. Councilman Cephas asked the Mayor if she is going to guarantee that taxes will not be raised, and how do you prepare for the future. Councilman Cephas went on to say that the Wastewater Treatment Plant was completed with bonds and grants, and if the police department were currently out of compliance, it would be shut down. Reverend Bovankovich stated there is a lot of talk and fear in the Town regarding where money is coming from into the Town and that supposedly money from three paid loans would be used to build the police station. Rev. Bovankovich feels that the citizens should be educated as to how the station will be paid for. Bonnie Keplinger said if the Town needs the new police station to keep crime down then it should be built. She feels the Town is better and the Mayor is working to keep it safe. Councilman Durham proposed the wording on the election ballot should read "should the Town build a police station costing approximately 1.2 million dollars with the funds from loans that have been paid off in order to be compliant with today's standards." A Motion was made by Councilman Durham to approve the wording on the ballot. Councilman Adams seconded the Motion. With little discussion, the Motion was passed and carried with a vote of 4-0.

Mr. Merriken asked the Council how they wanted wording done pertaining to the Council's salaries. There was considerable discussion between Councilman Durham,

Councilman Henry, and Councilman Cephas regarding the uses of the salaries by Councilmembers for the Maryland Municipal League, National League of Counties, etc. Councilman Cephas made a Motion to not have a question pertaining to salaries placed on the ballot. There was no second. Councilman Henry made a Motion to leave the Council's compensation the same or lower. Councilman Cephas seconded the Motion. With a vote of 2-2, the Motion failed. Councilman Cephas again made a Motion not to put the question of the salaries of the Council on the ballot. Councilman Adams seconded the Motion. The Motion passed with a vote of 3-1. Councilman Durham opposed the vote. Mr. Merriken asked about the question regarding the Mayor's salary being placed on the ballot. Councilman Adams made a Motion that the Mayor's current salary be placed on a ballot asking if it should be increased, decreased, or remain the same. Councilman Cephas seconded the Motion. With a vote of 4-0, the Motion passed.

Mayor Spratt reminded everyone of the Open House being held at the police station on September 12, 2013 from 3:00 p.m. to 8:00 p.m. The USDA will be in attendance.

Councilman Cephas expressed concerns that the Agenda be amended to include Councilmember's statements. He also feels that Agenda request forms should be allowed to be taken out of the office to be completed, and change the time limit from the current Tuesday before the next meeting to Wednesday. Councilman Cephas feels it is sometimes inconvenient for citizens to have to come into the office to complete the form. He suggested placing the form on the web site to make it more accessible to citizens. Councilman Cephas made a Motion to change the procedure of allowing the Agenda form to leave the Town office to be completed and brought back by the Wednesday prior to the next Town Council Meeting. Discussion ensued by Councilman Durham, Councilman Adams, and Councilman Henry. Councilman Cephas amended his Motion to say that citizens be allowed to take form with them, but have Agenda request forms back in the Town Office by the Tuesday preceding the next Town Meeting, and that the forms be placed on the Town's website. Councilman Adams seconded the Motion. The Motion passed with a vote of 3-1. Councilman Durham opposed the Motion. Councilman Cephas also expressed his feelings that the Council should come together to develop a community center, built on what monies are available. Former Councilman Mike Henry worked to improve the Town through the Downtown Hurlock Association. Councilman Cephas feels they should be able to build a stronger community and have a skilled work force. He read a statement on development the downtown area and reiterated that the Council should focus on these things. There was considerable discussion by Councilman Cephas, ending with him saying there are great opportunities to help Hurlock grow and move forward. Councilman Cephas also encouraged citizens of the Town to write to the President and/or their Congressman and express their opinions regarding going to war in Syria.

New Business - Clerk Avery announced bids received by the Town for road repairs. Bids were received and opened today with copies going to Councilmembers, were Delmarva Paving, David Bramble, and American Infrastructure. Delmarva Paving submitted a bid of \$52,669.00. That bid includes milling and repaving on Charles Street, from the intersection at School Street down to the railroad tracks and also repaving

Taylor Avenue from the railroad tracks down to Travers Street. This also includes six patches in various areas of the Town. David Bramble submitted a bid of \$56,814.00 and American Infrastructure bid \$59,975.00. American Infrastructure has completed work in the Town recently on Nealson Street and Poplar Street. Delmarva Paving has also completed work in the Town in the past and the work was very acceptable. Clerk Avery recommended that the Council go forward and approve the bid from Delmarva Paving. Councilman Durham made a Motion to accept the bid from Delmarva Paving. Councilman Henry seconded the Motion. With a vote of 4-0, the Motion was approved.

Mayor Spratt announced that she is 99% sure there are three new businesses coming to the Town of Hurlock, Everyone will benefit from this.

Agenda Requests – Mr. Monroe Quailes addressed the issue of the \$6500.00 that was used to settle a complaint between the Mayor & Council and Ministers & Citizens. He read a complaint written in March 12, 2012 regarding the Open Meetings Compliance. He read a complaint written by Kathleen Clough. Mr. Quailes feels the Mayor and Council have been discredited by the Town letter written by Mrs. Clough. There was a lengthy discussion by Mr. Quailes regarding what he feels were violations. After being reminded by Councilman Durham of the time limit, Mr. Quailes went on to read the second part of his request, which included complaints, filed by Ron Small and what Mrs. Clough wrote.

Public Comments – There was a complaint regarding the poor quality of the shrubbery at Hurlock Village (201 Goldrush Lane), and it was asked that the situation be looked into. Concern was also expressed about the poor service of Comcast and the question was asked why couldn't Bay Country Communications do something there. The Mayor stated she was looking into that.

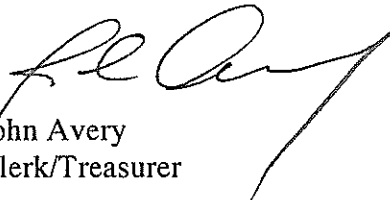
Mr. Frank Bittner stated he saw something at the meeting tonight that was very cowardly. He said the powers were being taken away from the Mayor. He questioned Councilman Adams in that he held the Mayor's feet to the fire with the salary issue on the election ballot. Mr. Bittner questioned how can we do what Councilman Cephas asks if the Council will not do anything. Election is coming up in November. It is not fair to the citizens of Hurlock if they are not getting their money's worth. Mr. Bittner asked that the Town look at a **sink hole** at 101 Miles Circle.

Councilman Durham referred to statements regarding property maintenance. He feels questions are not specific enough regarding maintenance issues. Mr. Merriken said the wording in the Ordinance might be changed. Mr. Merriken advised that Councilman Durham e-mail him the concerns and he can work on the issue

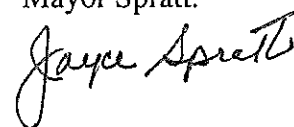
The Mayor announced the next Town Council Meeting would be held Monday September 23, 2013 at 6:00 p.m.

Councilman Cephas made a Motion to adjourn. Councilman Durham seconded the Motion. The meeting was adjourned at 8:14 p.m.

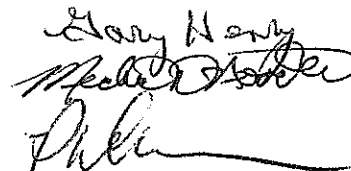
Respectively submitted,


John Avery
Clerk/Treasurer

Approved: Mayor Spratt:



Councilmembers:



MOTIONS AND VOTES BY COUNCIL MEMBERS

OPEN SESSION MEETING

SEPTEMBER 9, 2013

Motion to approve the Agenda was made by Councilman Durham. Councilman Adams seconded the Motion and it passed with a vote of 4-0. No one opposed.

Motion by Councilman Durham to approve the wording on the Election Ballot, "should the Town build a police station costing approximately 1.2 million dollars with the funds from loans that have been paid off in order to be compliant with todays standards". Councilman Adams seconded the Motion. The Motion passed with a vote of 4-0. No one opposed.

Motion by Councilman Cephas not to have a question pertaining to salaries of Councilmembers placed on Election Ballot. Motion failed for lack of a second.

Motion by Councilman Henry to leave the Councilmember's compensation the same or lower it. Councilman Cephas seconded the Motion. With the following votes; Durham – Nay, Adams – Nay, Cephas – Aye, and Henry – Aye. With a vote of 2-2, the Motion failed.

Motion made by Councilman Cephas not to put the question of the salaries of the Council on the ballot. Councilman Adams seconded the Motion. The votes were as follows: Durham – Nay, Cephas – Aye, Adams – Aye, Henry – Aye. With a vote of 3-1, the Motion was passed and carried. Councilman Durham was opposed.

Motion made by Councilman Cephas that the Agenda Request Form be allowed to leave the office to be completed and be returned to the Town Office by Tuesday prior to the next Council meeting. Councilman Adams seconded the Motion. The vote was as follows: Durham – Nay, Cephas – Aye, Adams – Aye, and Henry – Aye. With a vote of 3-1, the Motion was passed and carried. Councilman Durham was opposed.

Motion to approve a bid for roadwork from Delmarva Paving was made by Councilman Durham. Councilman Henry seconded the Motion. The Motion passed and carried with a vote of 4-0. No one opposed.

Motion to adjourn meeting by Councilman Cephas. The Motion was seconded by Councilman Durham. With all in favor, the meeting was adjourned at 8:15 p.m.